

MESSAGE NO: 4005113

MESSAGE DATE: 01/05/1994

MESSAGE STATUS: Active

CATEGORY: Antidumping

TYPE: COR

PUBLIC ☒

NON-PUBLIC ☐

SUB-TYPE:

FR CITE: FR

FR CITE DATE:

REFERENCE 4351115  
MESSAGE #  
(s):

CASE #(s): A-122-814

EFFECTIVE DATE:

COURT CASE #:

PERIOD OF REVIEW:

TO

PERIOD COVERED: 02/20/1992 TO

Notice of Lifting of Suspension Date: 02/20/1992

TO: { Directors Of Field Operations, Port Directors }

FROM: { Director AD/CVD & Revenue Policy & Programs }

RE: CORRECTION\*\*AMENDMENT OF FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND ORDER IN ACCORDANCE WITH THE DECISION ON REMAND OF PURE MAGNESIUM FROM CANADA

MESSAGE NO: 4005113

DATE: 01 05 1994

CATEGORY: ADA

TYPE: COR

REFERENCE: 4351115

REFERENCE DATE: 12 17 1993

CASES: A - 122 - 814

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- - - -

PERIOD COVERED: TO

LIQ SUSPENSION DATE: 02 20 1992

TO: REGIONAL DIRECTORS, COMMERCIAL OPERATIONS

DISTRICT DIRECTORS, AREA AND PORT DIRECTORS

FROM: DIRECTOR, IMPORT SPECIALIST DIVISION

RE: CORRECTION\*\*AMENDMENT OF FINAL DETERMINATION OF SALES AT LESS THAN FAIR VALUE AND ORDER IN ACCORDANCE WITH THE DECISION ON REMAND OF PURE MAGNESIUM FROM CANADA

1. THE DEPARTMENT OF COMMERCE (THE DEPARTMENT) PUBLISHED ON AUGUST 31, 1992, AN ANTIDUMPING DUTY ORDER ON PURE MAGNESIUM FROM CANADA AND INSTRUCTED CUSTOMS TO COLLECT A CASH DEPOSIT EQUAL TO 31.33 PERCENT AD VALOREM ON ALL ENTRIES OF SUBJECT MERCHANDISE ENTERED, OR WITHDRAWN FROM WAREHOUSE, ON OR AFTER THAT DATE (SEE E-MAIL #2246113, SEPTEMBER 2, 1992). SUBSEQUENTLY, THE DETERMINATION OF SALES AT LESS THAN FAIR VALUE WAS APPEALED TO A U.S. CANADA BINATIONAL PANEL (THE PANEL), AND WAS REMANDED TO THE

DEPARTMENT. THE DEPARTMENT ISSUED ITS REMAND DETERMINATION ON MAY 27, 1993 WITH A RECALCULATED ESTIMATED MARGIN OF 21 PERCENT AD VALOREM. THE PANEL AFFIRMED THE DEPARTMENT'S REMAND DETERMINATION. THEREFORE, ON NOVEMBER 29, 1993, THE DEPARTMENT PUBLISHED NOTICE OF AN AMENDMENT TO THE FINAL DETERMINATION IN ACCORDANCE WITH THE DECISION ON REMAND.

2. THE PRODUCT COVERED BY THIS INVESTIGATION IS PURE MAGNESIUM FROM CANADA. PURE UNWROUGHT MAGNESIUM CONTAINS AT LEAST 99.8 PERCENT MAGNESIUM BY WEIGHT AND IS SOLD IN VARIOUS SLAB AND INGOT FORMS AND SIZES, GRANULAR AND SECONDARY MAGNESIUM ARE EXCLUDED FORM THE SCOPE OF THIS INVESTIGATION. PURE MAGNESIUM IS CURRENTLY CLASSIFIED UNDER SUBHEADING 8104.11.0000 OF THE HARMONIZED TARIFF SCHEDULE ("HTS"). ALTHOUGH THE HTS SUBHEADING IS PROVIDED FOR CONVENIENCE AND CUSTOMS PURPOSES, OUR WRITTEN DESCRIPTION OF THE SCOPE OF THIS PROCEEDING IS DISPOSITIVE.

3. FOR FURTHER REPORTING PURPOSES, THIS CASE HAS BEEN ASSIGNED INVESTIGATION NUMBER A-122-814.

4. U.S. CUSTOMS FIELD OFFICES SHALL CONTINUE TO SUSPEND LIQUIDATION OF ENTRIES THAT ARE ENTERED, OR WITHDRAWN FROM WAREHOUSE, FOR CONSUMPTION ON OR AFTER FEBRUARY 20, 1992, AND SHALL REQUIRE A CASH DEPOSIT ON ENTRIES FILED ON OR AFTER NOVEMBER 29, 1993, EQUAL TO THE ESTIMATED MARGIN PERCENTAGES LISTED BELOW:

MANUFACTURER/PRODUCER EXPORTER	ID NUMBER PERCENTAGES	FINAL MARGIN
NORSK HYDRO CANADA, INC.	A-122-814-001	21.00
ALL OTHERS	A-122-814-000	21.00

IMPORTS OF PURE MAGNESIUM FROM TIMMINCO LIMITED ARE EXCLUDED FROM

THIS ORDER.

5. IF THERE ARE ANY QUESTIONS REGARDING THIS MATTER BY CUSTOMS OFFICERS, PLEASE CONTACT THE TRADE COMPLIANCE DIVISION, ADCVD BRANCH, EMAIL ATTRIBUTE "HQ OAB". OTHER INTERESTED PARTIES SHOULD CONTACT GARY BETTGER (202) 482-2239 OR JENNIFER YESKE (202) 482-0189.

6. THERE ARE NO RESTRICTIONS ON THE RELEASE OF THIS INFORMATION.

NANCY MCTIERNAN

## Company Details

\*Party Indicator Value:

I = Importer, M = Manufacturer, E = Exporter, S = Sold To Party